

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. The petitioner recently elected to receive Social Security benefits of \$482 per month. When PATH learned of the income increase, it recalculated the petitioner's eligibility and determined that she was no longer eligible for VHAP benefits.

3. On January 17, 2003, PATH sent the petitioner a notice that her benefits would be terminated. Included with this notice were the income calculations. She was notified that she would be eligible for both the "Vscript Expanded" and the "Healthy Vermonsters Program" to obtain discounts on her prescription drugs.

4. The petitioner does not disagree that she and her husband have \$1,795 in monthly income. She needs the program because she cannot afford to buy health insurance and will not have any coverage until she gets Medicare in three years.

ORDER

The decision of PATH is affirmed.

REASONS

Under the VHAP program regulations, PATH considers the petitioner and her husband a household of two persons and counts their combined incomes of \$1,795 per month to determine eligibility. W.A.M. § 4001.8. PATH correctly determined that this income makes the petitioner ineligible for VHAP, which has a two-person income maximum of \$1,515 per month.¹ Procedures Manual P-2420B. The petitioner's income does fall

¹ She is also ineligible for the regular "Vscript" program which has a \$1,768 per month maximum.

within the income limits of Vscript Expanded (\$2,273 per month maximum) and the Healthy VermonTERS program (\$3,030 per month maximum) and she has been found eligible for those programs. As PATH's decision to terminate the petitioner's benefits is in accord with its regulation, the Board must affirm the decision. 3 V.S.A. § 1391(d), Fair Hearing Rule 17.

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